



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,812	06/23/2003	Bruce Daniel MacMillan	030167	9837

45695 7590 06/02/2006

WITHERS & KEYS FOR BELL SOUTH
P. O. BOX 71355
MARIETTA, GA 30007-1355

EXAMINER

ROSE, HELENE ROBERTA

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/601,812

Applicant(s)

MACMILLAN, BRUCE DANIEL

Examiner

Helene R. Rose

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/14/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 23 June 2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

1. This is a response to the amendment filed on 3/4/2006 in which claims 1-20 are pending.
2. No claims were cancelled; amended; or added.
3. Applicant's arguments filed on 3/4/2006, with respect to claims 1-20 have been fully considered (MPEP 714.04; 37 CFR 1.111) but they are not persuasive.

Drawings

4. The Applicant's amendment to the drawings, filed on 3/4/2006, have been received and approved by the Examiner.

Specification

5. The Applicant's amendment to the specification, filed on 3/4/2006, have been received and approved by the Examiner.

Claim Rejections –35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Gromelski et al (US Patent No. 6,377,161).

Claim 1:

Regarding claim 1, Gromelski teaches a method for accessing information in a private database (column 4, lines 56-59, Gromelski), the method comprising: at an e-mail server (column 4, lines 50-52, wherein sending a message to a user through email, Gromelski) receiving a request from a wireless communication device to access the information (column 5, lines 8-12, wherein a request is generated) in

Art Unit: 2163

the private database (see Figure 3, diagram 320 and column 4, lines 16-19, wherein the database stores profiles defining service for a subscriber, Gromelski);

sending a query to retrieve the information (column 1, lines 41-45, wherein query is a request for information, Gromelski);

receiving a response to the query, wherein the response includes the information (column 4, lines 61-67, wherein the response includes the address information similar to diagram 400 in Figure 4, Gromelski); and

sending the information to the wireless communication device (column 3, lines 54-55, wherein a PMU is a portable messaging units, Gromelski).

Claim 2:

Regarding claim 2, Gromelski teaches wherein receiving the request includes receiving an e-mail from the wireless communication device (column 4, lines 46-52, Gromelski).

Claim 3:

Regarding claim 3, Gromelski teaches wherein receiving the e-mail from the wireless communication device includes receiving the e-mail from one of a wireless telephone (column 3, lines 9-14, Gromelski), a wireless pager (column 2, lines 48-49, Gromelski) and a wireless personal digital assistant (columns 2-3, lines 66-67 and lines 1-8, respectively, Gromelski).

Claim 4:

Regarding claim 4, Gromelski teaches wherein sending the query includes authorizing access to the private database (column 5, lines 17-33, Gromelski).

Claim 5:

Regarding claim 5, Gromelski teaches wherein authorizing access to the private database includes identifying an e-mail address of the wireless communication device (column 4, lines 46-50, Gromelski).

Art Unit: 2163

Claim 6:

Regarding claim 6, Gromelski teaches wherein authorizing access to the private database includes comparing the e-mail address of the wireless communication device with a list of authorized e-mail addresses (column 5, lines 26-33, wherein address information includes name, user identifier, routing information, protocol indicator, Gromelski).

Claim 7:

Regarding claim 7, Gromelski teaches wherein authorizing access to the private database includes confirming that the list of authorized e-mail addresses includes the e-mail address of the wireless communication device (column 5, lines 29-30, wherein name, and indicator protocol is indicated, i.e. email, and routing information, i.e. skytel.com, Gromelski).

Claim 8:

Regarding claim 8, Gromelski teaches wherein sending the query (column 5, lines 43-49, wherein a prompt is displayed inquiring whether a user wants to store the information, if yes, the query is sent to the processing system displayed in Figure 3, diagram 322, Gromelski) includes identifying text in the e-mail (column 4, lines 42-52, wherein text is identified, Gromelski).

Claim 9:

Regarding claim 9, Gromelski teaches wherein identifying text in the e-mail includes identifying a word associated with the information (column 2, lines 66-67, Gromelski).

Claim 10:

Regarding claim 10, Gromelski teaches wherein identifying the word in the e-mail includes identifying an acronym associated with the information (column 2, lines 66-67, wherein PMU's stands for portable messaging units, Gromelski).

Claim 11:

Regarding claim 11, Gromelski teaches wherein identifying text in the e-mail includes identifying a phrase associated with the information (column 2, lines 66-67, wherein a phrase is an expression consisting of one or more words, Gromelski)

Claims 12 and 13:

Regarding claims 12 and 13, Gromelski teaches wherein identifying text in the e-mail includes identifying a letter (column 4, lines 27-31, wherein a token is an individual instance of a type of symbol) and a number associated with the information (column 4, lines 44-49, wherein user identifier and pin number is associated with information, Gromelski)

Claim 14:

Regarding claim 14, Gromelski teaches wherein receiving the response includes receiving the information (column 3, lines 47-55, Gromelski).

Claim 15:

Regarding claim 15, Gromelski teaches wherein sending the information to the wireless communication device includes sending an e-mail to the wireless communication device (column 4, lines 46-52, Gromelski).

Claim 16:

Regarding claim 16, Gromelski teaches a method further comprising: at the e-mail server (column 1, lines 38-40, Gromelski), receiving a second request from the wireless communication device (see Figure 5, diagrams 502 and 504, Gromelski), wherein the second request is for accessing additional information (column 5, lines 1-4, Gromelski);

sending a second query (see Figure 4, diagram 504, wherein a Portable messaging unit (PMU) sends for a query, i.e. address information, Gromelski), wherein the second query is for retrieving the additional information (see Figure 5, diagram 508, wherein second query is for retrieving the additional information, Gromelski);

receiving a response to the second query (see Figure 5, diagram 512, Gromelski), wherein the response to the second query includes the additional information (see Figure 5, diagram 514 and 516, Gromelski); and

sending the additional information to the wireless communication device (column 2, lines 12-15, Gromelski).

Claim 17:

Regarding claim 17, Gromelski teaches an apparatus for accessing information in a private database, the apparatus comprising:

an e-mail server for accessing the private database (column 4, lines 56-59, Gromelski) wherein the e-mail server (column 4, lines 50-52, wherein sending a message to a user through email, Gromelski) is configured for communication with a wireless communication device (column 2 4-5, lines 55-67, and 1-4, wherein the messaging system is able to send inbound and outbound messages) and includes:

an identification module for identifying an e-mail address of the wireless communication device (column 4, lines 46-50, Gromelski); and

an authorization module for authorizing the e-mail server (column 5, lines 17-33, Gromelski) to access the private database and forward the information to the wireless communication device (column 5, lines 5-8, Gromelski).

Claim 20:

Regarding claim 20, Gromelski teaches a computer-readable medium having stored thereon a set of instructions (column 4, lines 13-16, Gromelski) which, when executed by a processor, cause the processor (column 4, lines 19-21, Gromelski) to:

identify an e-mail address of a wireless communication device (column 4, lines 46-50, Gromelski);
and

authorize an e-mail server (column 5, lines 17-33, Gromelski) to access information in a private database and forward the information to the wireless communication device (column 5, lines 5-8, Gromelski).

Claim Rejections 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gromelski et al (Gromelski hereinafter, US Patent No. 6,377,161) as applied to claims 1-17 and 20, above, and in view of Purcell (US Patent No. 5,940,807) as applied to claims 18 and 19.

Claim 18:

Regarding claim 18, Gromelski discloses all the claimed subject matter as stated above. However, Gromelski does not disclose wherein e-mail server comprises a portion of an Intranet. On the other hand, Purcell discloses wherein e-mail server comprises a portion of an Intranet (column 8, lines 32-39, wherein an intranet is an in house application, such as an organization, Purcell). It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to modify Gromelski system in view of Purcell to provide an e-mail server that comprises a portion of an Intranet. A skilled artisan would have been motivated to do so by including Intranet for internal use to facilitate communication and access to information within an organizational environment; providing restricted access, wherein it monitors the traffic flow; authorization for accessing information; blocking prohibited information from viewing, as well as tracking a users activity.

Claim 19:

Regarding claim 19, Gromelski in view of Purcell discloses wherein the e-mail server comprises a portion of an Extranet (column 4, lines 40-50, wherein a private network that uses the Internet protocols, Purcell).

Examiner Response

Applicant argues the prior art fails to teach, *"email server receiving the information request"*.

Examiner respectfully disagrees. Referring to Gromelski et al - column 3 lines 27-33, wherein he antenna 204 is coupled to a conventional receiver 208 for receiving the outbound message and coupled to a conventional transmitter 209 for transmitting the inbound message. The receiver 208 and the transmitter 209 are coupled to a processing system 206 for processing the outbound and inbound messages and for controlling the PMU 122, wherein inbound and outbound refer to the request and response paths for messages: "inbound" means "traveling toward the origin server", and "outbound" means "traveling toward the user agent and wherein portable message unit is equivalent to an email server, wherein it's interpret to be a communication device for providing two-way communication through a portable messaging unit for sending a signal including a recipient alias over a wireless communication channel and a controller for receiving the signal including the recipient alias, wherein a controller transmits a message to an address that is designated by a recipient alias; column 2, lines 46-50, wherein the controller is a combination of the Wireless Messaging Gateway Administrator! wherein wireless messaging gateway administrator is interpreted to be wherein the WAP gateway is conversion of data from normal Internet form to a compressed form suitable for WAP browsers, it provides other possible features such as different types of authentication, access control, cache service, logging, WAP push and cookie service, wherein the cache service holds commonly requested data in WAP gateway storage reducing network traffic, the logging facility logs all events to a file, helps administrators to track down problems, wherein a wireless messaging gateway can be applied to cellular phone, notebook, hand-held device, and so forth, allowing a user to send and retrieve messages.

Applicant argues the prior art fails to teach, *"email server that receives a request from a wireless communication device to access information in a private database"*

Examiner respectfully disagrees. Referring to Gromelski et al - columns 2-3 lines 62-67 and lines 1-8, wherein the base stations preferably each receive RF signals from the plurality of PMU' s via the

antenna, wherein the RF signals transmitted by the base stations to the portable message units, i.e. PMU' s, i.e. inbound messages wherein inbound messages is interpreted to be received, comprise selective call addresses identifying the portable message units, i.e. PMU' s, and data messages originated by a caller, as well as commands originated by the controller for adjusting operating parameters of the radio communication system. The RF signals preferably transmitted by the portable message units, i.e. PMU' s, to the base stations, i.e. inbound messages, comprise responses that include scheduled messages, such as positive acknowledgments and negative acknowledgments, and unscheduled messages, such as registration requests; column 4, lines 55-67, wherein the flow begins when the processing system of a first portable message unit, i.e. PMU, accesses its messaging processing program and sends address information to a second PMU through the wireless messaging system, the address information comprises a return address for routing a message to the first PMU, wherein the routing back to the first PMU, is interpreted to sending a reply, wherein alternatively, the address information can comprise at least one address stored in the address book of the first PMU.

Applicant argues the prior art fails to teach, "*receiving the request includes receiving an email from the wireless communication device*".

Examiner respectfully disagrees. Referring to Gromelski et al - column 3, lines 35-40, wherein the user interface comprises a conventional display for displaying the inbound and outbound messages, a conventional alert element for alerting the user when the outbound message arrives, and a conventional keyboard for generating the inbound message and for controlling the PMU 122; column 4, lines 38-52, wherein the synchronization signal is preferably followed by control information for defining predetermined parameters of the address information message which follows, e.g., message type, recipient's address, and message length, wherein the address information message comprises a user's name, e.g., John Smith, a user identification for uniquely identifying the user, e.g., PIN # 1234567, routing information 410 for defining how to route a message to the user, e.g., @skytel.com, and a protocol indicator for defining a protocol to use for sending the message to the user, e.g., email, and lines 64-67, wherein the address

information is sent in a packet, through well-known techniques for addressing and sending inbound and outbound messages – which is equivalent to receiving an email from the wireless communication device.

Applicant argues the prior art fails to teach, “*compare an email address with a list of authorized email addresses*”.

Examiner respectfully disagrees. In response to applicant’s argument that Gromelski et al references fail to show certain features of applicant’s invention, Examiner states: Claim 7, states confirming that the list of authorized email addresses, it is noted that the features upon which applicant relies (i.e. compare an email address) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

However, claim 7 states: confirming the list of authorized email addresses. Referring to Gromelski et al - columns 1-2, wherein the processing system is programmed to check, in response to receiving the second address information, whether information identical to the second address information is stored in an address book of the portable messaging unit; and to process the second address information in a predetermined manner selected in response to whether information identical to the second address information is stored in the address book – is equivalent to comparing one to another, wherein the address information consist of a user’s name, e.g., John Smith, a user identification for uniquely identifying the user, e.g., PIN # 1234567, routing information 410 for defining how to route a message to the user, e.g., @skytel.com, and a protocol indicator for defining a protocol to use for sending the message to the user, e.g., email, as defined in column 4, lines 38-52.

Applicant argues the prior art fails to teach "*sending the information to the wireless communication device includes sending an email to the wireless communication device*".

Examiner respectfully disagrees. Referring to Gromelski et al - column 4, lines 38-52, wherein the synchronization signal is preferably followed by control information for defining predetermined parameters of the address information message which follows, e.g., message type, recipient's address, and message length, wherein the address information message comprises a user's name, e.g., John Smith, a user identification for uniquely identifying the user, e.g., PIN # 1234567, routing information for defining how to route a message to the user, e.g., @skytel.com, and a protocol indicator for defining a protocol to use for sending the message to the user, e.g., email, and lines 64-67, wherein the address information is sent in a packet, through well-known techniques for addressing and sending inbound and outbound messages.

Applicant argues the prior art fails to teach "*an email server with an authorization module for authorizing access to the private database*".

Examiner respectfully disagrees. Referring to Gromelski et al - column 5, lines 5-8, wherein the controller can access the subscriber database and generate the complete address into packets in response to a command from the portable message unit, i.e. PMU, wherein a portable message unit is interpreted to be a portable device such as a hand-held device, notebooks, and so forth; column 2, lines 46-50, wherein the controller is a combination of the Wireless Messaging Gateway Administrator! wherein wireless messaging gateway administrator is interpreted to be wherein the WAP gateway is conversion of data from normal Internet form to a compressed form suitable for WAP browsers, it provides other possible features such as different types of authentication, access control, cache service, logging, WAP push and cookie service, wherein the cache service holds commonly requested data in WAP gateway storage reducing network traffic, the logging facility logs all events to a file and helps administrators to track down problems; Paging terminal, and the RF-conductor! Message distributor manufactured by Motorola, wherein the hardware of the base stations is preferably a combination of RF-

Audience! Receivers manufactured by the Motorola, Inc., the PMU's are preferably similar to Page Writer 2000 data messaging units also manufactured by Motorola, wherein page writer is defined to be the PageWriter 2000 two-way pager's lightweight, wearable design allows you to open the flip and read your messages while the pager is still in the belt holster, the audio and vibrate alerts notify you of incoming and waiting messages, the keyboard provides text entry capabilities that allow you to send full text messages, wherein its combined with the ability to add applications, upgrade current applications, and, with the infrared interface in Motorola's Deluxe model, upload and download information to and from your computer; column 4, lines 16-21, wherein the mass medium comprises a conventional subscriber database for storing profiles defining service for subscribers using the system, and it also comprises a message processing element for processing messages; column 6, lines 6-9, wherein allows address information in the address book of another portable message unit, i.e. PMU, under user control – which is *equivalent* to authorization and address information is *equivalent* to a private database.

Applicant argues the prior art fails to teach "*forwards information to a wireless device*".

Examiner respectfully disagrees. Referring to Gromelski et al - column 6, lines 6-9, wherein allows address information in the address book of another portable message unit, i.e. PMU, under user control, which is equivalent to forwarding information to a wireless device, also see above, wherein the wireless device is equivalent to portable message unit, i.e. PMU.

8. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Prior Art of Record

(The prior art made of record and not relied upon is considered pertinent to applicant's disclosure)

1. Gromelski et al (US Patent No. 6,377,161) discloses a first portable messaging unit (PMU) sends address information to a second PMU through a wireless messaging system, wherein the second PMU receives address information. In response to the receive address, the second PMU verifies whether or not the information is identical to the address information and then stores it in a address book and then processes the address information in a predetermined manner which is dependent upon the result of the check.
2. Goedken (US. Patent No. 6,393,423) discloses methods and apparatus for facilitating information exchange between an information requestor and one or more information custodians via a network.
3. Purcell (US Patent No. 5,940, 807) discloses a method for controlling a collection, processing and dissemination of information by a host regarding product and service availability. The method includes establishing a host operated information management system wherein the information management system is a computer having information processing and storage capabilities.


Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene R. Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helene R Rose
Technology Center 2100
November 22, 2005



ALFORD KINDRED
PRIMARY EXAMINER